PATENT APPLICATION 0941.68673 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE U.S. Patent Application of: I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an plicant(s): Wataru Odajima et al. envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Serial No.: 10/702,134 this date. Conf. No.: 6843 July 21, 2005 Date Attorney for Applicant(s) Filed: November 5, 2003 Registration No. 41, 895 AN OPTICAL DEVICE, For: INFORMATION RECORDING/ REPRODUCING APPARATUS USING THE OPTICAL DEVICE Art Unit: 2851

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Not yet assigned

Dear Sir:

Examiner:

This IDS is submitted under 37 C.F.R. §1.97(b) within either of the following time periods, whichever occurs

- within three months of either the filing date of the national application or the date of entry (a) into the national stage; or
- before the mailing date of first office action on the merits (i.e., not including actions such as restriction requirements).

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

Enclosed is a copy of an Official Action from the German Patent Office with Translation.

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R.§§1.16-1.17, or to credit any overpayment, to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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Customer Number 24978 P:/DOCS.0941/68673/9B8460.DOC

GREER, BURNS & CRAIN, LTD.

Registration No. 41,895

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| Form PTO-1449 U.S. Department of Commerce (Rev. 8-88) Patent and Trademark Pto P   |                              |                       |                  | Attorney Docket No.: 0941.68673   |                | Serial No.: 10/702,134  |                            |         |
|  |                              |                       |                  | Applicant: Wataru Odajima et al.  |                |                         |                            |         |
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| *Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                              |                       |                  |                                   |                |                         | nrough                     |         |